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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10 UNITED STATES OF AMERICA,

11 Respondent,

No. CR S-04-0359 WBS KJM

12 vs.

13 FRANK ANGEL ORIHUELA,

14 Movant.

ORDER

15 _____/
16 Movant, a federal prisoner proceeding pro se, has filed a motion to vacate, set
17 aside, or correct his sentence pursuant to 28 U.S.C. § 2255. The matter was referred to a United
18 States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local General Order No. 262.

19 On February 27, 2009, the magistrate judge filed findings and recommendations
20 herein which were served on all parties and which contained notice to all parties that any
21 objections to the findings and recommendations were to be filed within twenty days. Neither
22 party has filed objections to the findings and recommendations.

23 Although it appears from the file that movant's copy of the findings and
24 recommendations were returned, movant was properly served. It is the movant's responsibility
25 to keep the court apprised of his current address at all times. Pursuant to Local Rule 83-182(f),
26 service of documents at the record address of the party is fully effective.

1 The court has reviewed the file and finds the findings and recommendations to be
2 supported by the record and by the magistrate judge's analysis. Accordingly, IT IS HEREBY
3 ORDERED that:

4 1. The findings and recommendations filed February 27, 2009, are adopted in
5 full;

6 2. Movant's December 12, 2005 motion to vacate, set aside, or correct his
7 sentence under 28 U.S.C. § 2255 is denied; and

8 3. The clerk of the court is directed to close the companion civil case No. Civ S-
9 05-2506 WBS KJM P.

10 DATED: April 16, 2009

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12 WILLIAM B. SHUBB
13 UNITED STATES DISTRICT JUDGE
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